

CERTIFIED MAIL - RETURN RECEIPT REQUESTED NO. \_\_\_\_\_

STATE OF CONNECTICUT  
DEPARTMENT OF HEALTH SERVICES  
BUREAU OF HEALTH SYSTEM REGULATION  
DIVISION OF MEDICAL QUALITY ASSURANCE

Rec'd  
5-4-93  
JB

In re: Robert Twarowski, L.O.

Petition No. 900403-38-002

CONSENT ORDER

WHEREAS, Robert Twarowski, L.O., of Lexington Avenue, New Haven, Connecticut, has been issued license number 000560, to practice opticianry by the Department of Health Services pursuant to Chapter 381 of the General Statutes of Connecticut, as amended; and

WHEREAS, The Department of Health Services alleges:

1. That Robert Twarowski was employed by Cole Vision Corporation to work as the sole licensed optician in the optical shop located at the Cross Roads Mall in Bridgeport, CT.
2. That although he was not scheduled to work on March 28, 1990, the shop remained open to the public on that day.
3. That a licensed optician must be on the premises for an optical shop to be open to the public.

WHEREAS Robert Twarowski, L.O., in consideration of this Consent Order, has chosen not to contest the above allegations. The respondent, while admitting no guilt or wrongdoing, agrees that for the sole purpose of the proceedings before the Connecticut Board of Examiners for Opticians, the above allegations and this Consent Order shall have the same effect as if ordered after a full hearing held pursuant to Connecticut General Statute Sections 19a-19, 19a-10 and 20-153;

NOW THEREFORE, pursuant to §19a-17 and §20-153 of the General Statutes of Connecticut, Robert Twarowski hereby stipulates and agrees to the following:

1. That he waives his right to a hearing on the merits of this matter;
2. That Robert Twarowski has authorized the payment of a fine of \$500.00 on his behalf, which fine is payable by certified check to "Treasurer, State of Connecticut," and will accompany this Consent Order when signed by the Respondent.
3. That from this point on and at all points in the future, he shall take all reasonable steps within his power and authority to ensure that any optical facility which he operates will not be open to the public at any time during which there is no licensed optician on the premises.
4. That he understands that this Consent Order may be considered as evidence in any proceeding before the Connecticut Board of Examiners for Opticians (1) in which compliance with this same order is at issue, or (2) in which compliance with §20-154 of the General Statutes of Connecticut, as amended, is at issue.
5. That this Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, that said order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive Robert Twarowski of any rights that he may have under the laws of the State of Connecticut or of the United States.
6. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department of Health Services at any time prior to its being executed by the last signatory.
7. That this Consent Order is effective the first day of the next month after which the seal of the last signatory is fixed to this document.

8. That he permits a representative of the Public Health Hearing Office of the Division of Medical Quality Assurance, Connecticut Department of Health Services to present this Consent Order and the factual basis for said Consent Order to the Connecticut Board of ~~Examiners~~ for Opticians. The parties understand that said Board has complete and final discretion as to whether or not an executed Consent Order is approved or granted.
9. That an attorney has been consulted prior to signing this document.

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I, Robert Twarowski, L.O., have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Robert Twarowski, L.O.  
Robert Twarowski, L.O.

Subscribed and sworn to before me this 28 day of February 1993.

Anthony M. Russo  
Notary Public or person authorized  
by law to administer an oath or  
affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of Health Services on the 10<sup>th</sup> day of March 1993, it is hereby accepted.

Stanley K. Peck  
Stanley K. Peck, Director  
Division Medical Quality Assurance

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Opticians on the 28<sup>th</sup> day of April 1993, it is hereby ordered and accepted.

[Signature]  
For the Connecticut Board of Examiners for Opticians

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